

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
Plaintiff,) CASE NO. 05-581M
v.)
ANTHONY R. BENSON,) DETENTION ORDER
Defendant.)

Offense charged:

Count 1: Conspiracy to Commit Bank Fraud and to Misrepresent Social Security Numbers, in violation of Title 18, U.S.C., Section 371;

Count 2: Bank Fraud, in violation of Title 18, U.S.C., Section 1344;

Count 3: Misrepresenting a Social Security Number, in violation of Title 42, U.S.C., Section 408(a)(7)(B).

Date of Detention Hearing: December 13, 2005

The Court, having conducted a contested detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community. The Government was represented by Tessa Gorman for Andrew Friedman. The defendant was represented by Walter Palmer.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) The defendant is viewed as a danger to the community primarily because he has ongoing substance abuse problems and has failed prior impatient treatment three times. Community Corrections officer Joseph Kelly

1 reported the defendant was mixing other peoples' prescriptions with
2 methadone. Defendant admitted to taking other medications while taking
3 methadone. Although impatent treatment was suggested again as an
4 alternative to incarceration, I find the defendant poses an unreasonable risk
5 of danger to the community due to his substance abuse problems.

6 (2) Similarly, the defendant is viewed as a risk of nonappearance. His
7 criminal record shows sixteen warrants for failing to appear. He is also
8 associated with numerous aliases, dates of birth and social security
9 numbers.

10 Thus, there is no condition or combination of conditions that would reasonably assure
11 future court appearances.

12

13 **It is therefore ORDERED:**

14 (1) Defendant shall be detained pending trial and committed to the custody of
15 the Attorney General for confinement in a correctional facility separate, to
16 the extent practicable, from persons awaiting or serving sentences, or being
17 held in custody pending appeal;

18 (2) Defendant shall be afforded reasonable opportunity for private
19 consultation with counsel;

20 (3) On order of a court of the United States or on request of an attorney for the
21 Government, the person in charge of the correctional facility in which
22 Defendant is confined shall deliver the defendant to a United States
23 Marshal for the purpose of an appearance in connection with a court
24 proceeding; and

1 (4) The clerk shall direct copies of this order to counsel for the United States,
2 to counsel for the defendant, to the United States Marshal, and to the
3 United States Pretrial Services Officer.

4 DATED this 15th day of December, 2005.

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8 MONICA J. BENTON
9 United States Magistrate Judge